

REMARKS/ARGUMENTS

Claims 1-4, 6-11, 13-15 and 24-28 are pending. Claims 5, 12 and 16-23 were previously canceled. Claims 15, 26 and 27 are objected to but would be allowable if rewritten in independent form.

Claim 24 is allowed.

Claim 15 is rewritten in independent form including all limitations of base claim 9 and any intervening claims. Similarly, claim 26 is rewritten in independent form including all limitations of base claim 25 and any intervening claims. As such, claims 15, 26 and 27 are understood to be allowable.

The rejection of claims 1-4, 6-11, 13, 14, 25 and 28 as anticipated by U.S. No. 6,484,994 to Hokugoh is respectfully traversed. "To anticipate a claim, the reference must teach every element of the claim." MPEP § 2131. In the present case, Hokugoh does not meet this test.

The Patent Office has established a standard by which prior art must be judged to satisfy anticipation. The standard is set forth in MPEP § 2131, which states in part:

TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH
EVERY ELEMENT OF THE CLAIM.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)....."The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Hokugoh teaches a support device for supporting a display body on a horizontal surface. A middle cover 14 having a ring plate 53 is placed between a substrate 11 and an upper cover 15. The middle cover is allowed to pivot freely in the horizontal plane such that the display body can be rotated around a vertical axis.

Claims 1-4, 6-11, 13, 14, 25 and 28 call for exerting axial pressure on a radial flange to prevent a supporting arm from unwanted rotation relative to a mounting plate and a cover. According to the Office Action, the ring plate 53 of Hokugoh is equivalent to a radial flange, and the substrate 11 and upper cover 15 exert axial pressure on the ring plate to prevent unwanted rotation relative to the substrate and upper cover. However, this is not correct. As Hokugoh describes at column 4, lines 16-19, the ring plate 53 has two pivot stoppers 53a and 53b, which abut stopper 63 of the upper cover 15 to limit the pivoting of the middle cover 14. Pivoting is

limited to 90 ° in the right and left direction. Thus, rotation is restricted by the stoppers and not by pressure on the flange.

As taught by Hokugoh at column 4, lines 7-13, the substrate 11 and the upper cover 15 are for restricting movement of the ring plate 53 in the vertical direction. This limits the ring plate from moving up-and-down but does not prevent rotation. Indeed, as described at column 4, lines 7- 13, the support device of Hokugoh is designed to allow the ring plate to be pivotable, but with movement in the vertical direction restrained.

According to the Office Action, the cover, flange and mounting plate of Hokugoh are connected by fasters (17a-17e) that would prevent the radial flange from rotating if the cover and plate were over-tightened by the fasteners. According to the Office Action, elements 62 and 63 of the cover would bend toward surface element 51 or 53 to prevent rotation. However, Hokugoh does not teach or suggest such a result. Fig. 4 of the Hokugoh reference shows that protruding portions 62, 63 and 64 of the upper cover stop well short of touching the ring plate 53 and therefore do not apply pressure to the ring plate. Moreover, nothing indicates that fasteners 17a-17e can be over-tightened in such a way as to bring the upper cover into contact with surface elements 51 or 53. Indeed, fastener 17b is inserted as far as it can go in Fig. 4, with no contact between the upper cover and surface elements. The suggestion in the Office Action that over-tightening of the fasteners will prevent rotation is mere speculation, and is not a necessary or even a probable result of the teachings of Hokugoh.

Hokugoh does not show the identical invention in as complete detail as contained in claims 1-4, 6-11, 13, 14, 25 and 28. Moreover, Hokugoh fails to expressly or inherently describe each and every element set forth in the claims. Accordingly, claims 1-4, 6-11, 13, 14, 25 and 28 are not anticipated by the Hokugoh reference.

In view of the foregoing amendments and remarks, Applicant submits that the present application is in condition for allowance. A Notice of Allowance is therefore respectfully requested.

A fee for additional independent claims is provided herewith.

No other fee is believed due. However, the Commissioner is hereby authorized to charge payment of any fees required with this communication or credit any overpayment to Deposit Account No. 50-0337. If an extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 50-0337.

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Respectfully submitted,



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